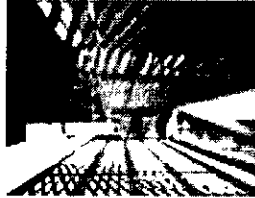


AGENDA

Thursday, June 18, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, June 18, 2009 at Austin City Hall
301 W. Second Street, Austin, TX

AUSTIN CITY CLERK
POSTING: DATE/TIME

2009 JUN 12 PM 4 55



Mayor Will Wynn
Mayor Pro Tem Brewster McCracken
Council Member Lee Leffingwell, Place 1
Council Member Mike Martinez, Place 2
Council Member Randi Shade, Place 3
Council Member Laura Morrison, Place 4
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM -- Invocation

Rabbi Kerry Baker, Congregation Kol Halev

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the Minutes of the Austin City Council June 11, 2009 Regular meeting.

Austin Water Utility

2. Approve a resolution authorizing the City Manager to apply for funding from, and negotiate and execute any necessary agreements with, the Texas Water Development Board (TWDB) as part of the American Recovery and Reinvestment Act of 2009 in the amount up to \$53,700,000 to access capital funding for the implementation of wastewater projects that are in the Austin Water Utility's 5-year Capital Improvement Program. There is no unanticipated fiscal impact. Recommended by the Water and Wastewater Commission. Related to Item #8.
3. Authorize a resolution consenting to the annexation of 6.68 acres into Travis County Water Control and Improvement District 10 ("WCID #10") for the provision of water service. There are no expenditures incurred by the City of Austin for this action. The landowner or WCID #10 will incur all expenses for water service to the seven-acre tract. Recommended by the Water and Wastewater Commission.
4. Approve issuance of a rebate in the amount of \$54,791 to Crowne Plaza for the installation of 293 water efficient toilets at the Crowne Plaza Hotel at 6121 N IH 35. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Water Utility. Recommended by the Water and Wastewater Commission. To be reviewed by the Citizens Water Conservation Implementation Task Force on June 15, 2009 and Resource Management Commission Action on June 16, 2009.

Communications and Technology Management

5. Authorize the negotiation and execution of a 12-month Interlocal Agreement with the Greater Austin Area Telecommunications Network Agency for network operations and management services in the amount of \$183,000 payable to the City with four 12-month renewal options of \$183,000 per renewal option, for a total agreement amount of not less than \$915,000. \$183,000 is to be paid to the City of Austin by the GAATN Agency for the first 12 month services agreement. Funding for extension options is contingent upon authorization by the GAATN Board in their future year budgets.

Contract and Land Management

6. Authorize negotiation and execution of Amendment No. 1 to the existing Performance Contract agreement with: Chevron Energy Solutions, San Francisco, CA and Ameresco, Inc., Houston, TX, for an Energy Service Company (ESCO) Rotation List to identify, design and implement energy and water conservation measures in various City of Austin facilities, to increase the current contract amount by \$5,000,000 for a total revised amount not to exceed \$15,000,000, until financial authorization is expended and all services under this contract have been completed. The additional authorization will be distributed as follows: \$2,500,000 to Chevron Energy Solutions and \$2,500,000 to Ameresco, Inc. Funding in the amount of \$5,000,000 is available through low interest loans from the State of Texas LoanSTAR (Saving Taxes and Resources) Loan Program. The City determined that subcontracting opportunities for this type of contract are assignment specific. After the project specific scope of work is defined through a Detailed Energy Audit process and approved by AE, the Energy Services Companies (ESCOs) will review the Detailed Audit Report, and MBE/WBE participation goals are the established, where applicable, based on the assignment specific scope of work. The Energy Services Company will be required to complete and submit a MBE/WBE Compliance Plan for review with their final proposal. Upon approval of the Energy Services Company's MBE/WBE Compliance Plan by the City, the Compliance Plan shall be incorporated into the project and shall be considered part of the Energy Services Company's performance requirements. Recommended by the Resource Management Commission and the Electric Utility Commission.
7. Authorize negotiation and execution of a professional services agreement with TCB, INC. (an AECOM COMPANY), Austin, TX, for engineering services for Davis Water Treatment Plant Treated Water Discharge System in an amount not to exceed \$5,000,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Best qualification statement of nine (9) statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 21.20% MBE and 16.00% WBE subconsultant participation. Recommended by the Water and Wastewater Commission.
8. Authorize negotiation and execution of an amendment to the professional services agreement with the following seven firms: CAMP, DRESSER & MCKEE, INC. (CDM), Austin, TX; CHIANG, PATEL & YERBY, INC., Austin, TX; KALLURI GROUP, INC., (MBE/MA) HOUSTON, TX; ALAN PLUMMER ASSOCIATES, INC., Austin, TX; CH2M HILL, INC., Austin, TX; KENNEDY/JENKS CONSULTANTS, INC., Austin, TX and MWH AMERICAS, INC., Austin, TX to provide engineering services for the Water and Wastewater System Facility Engineering Rotation List, for the years 2008 through 2011 or until available funding authorization is expended, in the amount of \$3,500,000 in additional authorization, for a total not to exceed amount of \$13,000,000 for this rotation list. This additional authorization will be used for the rehabilitation of Hornsby Bend Biosolids Management Plant and for other water and wastewater facility projects that receive funding from the Texas Water Development Board under the American Recovery and Reinvestment Act of 2009 Special Clean Water State Revolving Fund (CWSFR) capitalization grant. Funding is available in the Fiscal Year 2009-2011 Capital and/or Operating and Maintenance Budgets of the Austin Water Utility and highly anticipated from the Texas Water Development Board under the American Recovery and Reinvestment Act of 2009 Special Clean Water State Revolving Fund (CWSRF)

capitalization grant. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.50% MBE and 14.20% WBE subcontractor participation. Reviewed by the Water and Wastewater Commission. Related to Item #2.

9. Authorize execution of a construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, TX, for Valve Replacement A, for a total contract amount not to exceed \$544,095. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest of eight (8) bids received. The contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business enterprise Procurement Program) by meeting the goals with 15.34% MBE and 1.82% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
10. Authorize execution of a construction contract with BALLOU CONSTRUCTION CO., INC, Salina, KS, for the 2009 Miscellaneous Streets Slurry Seal and Micro-Surfacing project in the amount of \$3,790,645.90. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department. Lowest responsive bid of two (2) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through achievements of Good Faith Efforts with 5.16% MBE and 2.60% WBE subcontractor participation.
11. Authorize execution of Change Order #5 to the construction contract with MCLEAN CONSTRUCTION, LTD, Killeen, TX, for Lamar / Bluebonnet / Manchaca Water Improvements – ACWP – Govalle 1 Basin Wastewater Improvements in the amount of \$850,000, for a total contract amount not to exceed \$8,767,843. Funding in the amount of \$850,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 13.64% MBE and 3.16% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
12. Authorize execution of Change Order #5 to the construction contract with OSCAR RENDA CONTRACTORS, INC., Roanoke, TX, for the ACWP Govalle 2 – Blunn Creek Wastewater Improvements (Re-bid) in the amount of \$906,137.50, for a total contract amount not to exceed \$5,975,857.50. Funding in the amount of \$906,137.50 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.52% MBE and 2.66% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
13. Authorize execution of a construction contract with BARECKY CONSTRUCTION COMPANY, Wimberley, TX, for Dittmar Gym Enclosure in the amount of \$1,545,080 plus a \$77,254 contingency, for a total contract amount not to exceed \$1,622,334. Funding in the amount of \$1,622,334 is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department. Lowest bid of eight (8) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through achievements of Good Faith Efforts with 19.06% MBE and 1.25% WBE subcontractor participation.
14. Authorize negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX, for planning services Integrated Solid Waste Management Master Plan in an amount not to exceed \$1,500,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Solid Waste Services Department. Best qualification statement of three (3) statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation. Reviewed by the Solid Waste Advisory Commission.

15. Authorize reimbursement, under previously approved contract, to West 38th Street Ltd., Austin, TX, for the rehabilitation of the Central Park wet pond, in the amount of \$149,935.50, plus a contingency amount of \$7,496.78, for a total contract amount not to exceed \$157,432.28. Funding in the amount of \$157,432.28 is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department. This contract was originally approved as a cost reimbursement in 1993 and as such was in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program).

Economic Growth & Redevelopment Services

16. Approve a resolution authorizing the City Manager to negotiate and execute a Lease Agreement with the Film Society of Austin, Inc., for approximately 20 acres of the former Robert Mueller Municipal Airport for continued use as a studio complex for the production of films, television programs, commercials, and multi-media productions and for educational and job-training purposes associated therewith. There is no unanticipated fiscal impact. A fiscal note is not required.
17. Authorize negotiation and execution of a commission agreement with Chris Doyle (New York, NY), in an amount not to exceed \$230,850. Funding in the amount of \$230,850 is available in the Fiscal Year 2008-2009 Capital Budget of the Financial and Administrative Services Department. The Art in Public Place Panel approved the artist's final design on May 4, 2009; The Austin Arts Commission approved the artist's final design on May 18, 2009.
18. Authorize negotiation and execution of an Interlocal Agreement between the City and Travis County to jointly monitor compliance with Section 4.d of the Chapter 380 Economic Development Agreement between the City and The Domain Shopping Center, L.P. and with Section 5.1(c) of the Chapter 381 Economic Development Agreement between Travis County and The Domain Shopping Center, L.P.. There is no unanticipated fiscal impact. A fiscal note is not required.
19. Authorize negotiation and execution of a commission agreement with Joseph Phillips, Jana B. Swec and Shea Little (dba Sodalitas Art Group, Austin, TX), for artwork, in an amount not to exceed \$99,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Public Works Department. The Art in Public Place Panel unanimously approved the artist's final design on May 4, 2009; The Austin Arts Commission unanimously approved the artist's final design on May 18, 2009.

Law

20. Approve an ordinance amending Section 2-1-22 of the City Code related to board member terms.
21. Authorize negotiation and execution of a legal services agreement with Denton, Navarro, Rocha & Bernal, L.L.P., as lead negotiator and legal co-counsel for labor negotiations for the Fire Department in an amount not to exceed \$83,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Austin Fire Department.

Office of Emergency Management

22. Approve a resolution authorizing the City Manager to negotiate and execute an Interlocal Mutual Aid Agreement with the City of Houston to, in the event of a disaster, provide aid, including emergency personnel, debris removal personnel, equipment and other aid as requested by the affected municipality.

Police

23. Approve an ordinance establishing classifications and positions in the classified service of the police department, eliminating and creating certain positions, and repealing

Ordinance No. 20090129-019 relating to police department classifications and positions and declaring an emergency. Funding is available in the Fiscal Year 2008-2009 Operating budget of the Austin Police Department.

24. Approve a resolution authorizing the application for and acceptance of \$30,109 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division, Juvenile Justice and Delinquency Prevention (JJDP) Act Fund Program for the operation of the APD/Lifeworks Delinquency Prevention Project. Funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Juvenile Justice and Delinquency Prevention (JJDP) Act Fund Program for the grant period September 1, 2009 - August 31, 2010. There is no required match.
25. Approve a resolution authorizing the extension of line of duty injury leave as needed, at full pay for Austin Police Department Officer Aaron Van Bishop. Funding is included in the Fiscal Year 2008 - 2009 Operating Budget for the Police Department.

Public Works

26. Approve a resolution amending Resolution Nos. 20060608-25, 20070111-026 and 20070412-006 and approving the negotiation and execution of all necessary documents to terminate the Advance Funding Agreement between the City and the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT), for the Channel Road Bridge at Rocky Cliff Slough project, as an authorized Federal Off-System Bridge Program Project.
27. Authorize negotiation and execution of an interlocal agreement between the City and Travis County for relocation of Austin Water Utility water lines as part of the County's Imperial Valley Drive Project, in the amount of \$115,730 plus a \$28,930 contingency, for a not to exceed amount of \$144,660. Funding is available in the Fiscal Year 2008-2009 Approved Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Purchasing Office

28. Authorize award, negotiation, and execution of a 12-month contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., Austin, TX, for the maintenance and support of the Austin/Travis County Trunked Regional Radio System communication infrastructure in an amount not to exceed \$2,228,775, with four 12-month extension options in an amount not to exceed \$2,295,638 for the first extension option, \$2,364,507 for the second extension option, \$2,435,443 for the third extension option, and \$2,508,506 for the fourth extension option, for a total contract amount not to exceed \$11,832,869. Funding in the amount of \$371,463 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Wireless Communications Services Division. Funding for the remaining 10 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
29. Authorize award and execution of Amendment No. 1 to a requirements service contract with PACE GLOBAL ENERGY SERVICES, LLC, Fairfax, VA, for continued support of Austin Energy's long-range energy resource planning process to increase the contract authorization in an estimated amount not to exceed \$200,000, for a revised contract amount not to exceed \$564,344. Funding in the amount of \$200,000 is available in the Fiscal Year 2008-2009 Operating Budget for Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

30. Authorize award and execution of a 12-month requirement service contract with BUSINESS & PERSONAL SOLUTIONS, Cedar Creek, TX, for the distribution of door hanging advertisements for Austin Energy's Power Saver Programs in an estimated amount not to exceed \$58,680, with one 12-month extension option in an estimated amount not to exceed \$58,680, for a total estimated contract amount not to exceed \$117,360. Funding in the amount of \$14,670 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension option is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission and the Resource Management Commission.
31. Authorize award and execution of a service contract through the State of Texas, Department of Information Resources (DIR) with M&S TECHNOLOGIES, Dallas, TX to provide networking hardware implementation services in an estimated amount not to exceed \$434,511, with four 12-month extension options to provide system maintenance and support services in an estimated amount not to exceed \$80,000 per extension option, for a total estimated contract amount not to exceed \$754,511. Funding in the amount of \$355,070 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Funding in the amount of \$79,441 is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this contract. To be reviewed by the Electric Utility Commission on June 15, 2009.
32. Authorize award and execution of Amendment No. 1 to a contract with TEGRON LP, Longview, TX, to increase the contract for the upgrade of the demineralizer system at Decker Creek Power Station in an estimated amount not to exceed \$200,000, for a revised total estimated contract amount not to exceed \$2,847,508. Funding in the amount of \$200,000 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. To be reviewed by the Electric Utility Commission on June 15, 2009.
33. Authorize award, negotiation, and execution of a 12-month requirements supply contract with TEXAS DIGITAL SYSTEM, INC., College Station, TX, for the purchase of an information delivery system including LCD monitors, software, annual maintenance and support, and implementation in an estimated amount not to exceed \$170,721, with four 12-month extension options in an estimated amount not to exceed \$14,670 per extension option, for a total estimated contract amount not exceed \$229,401. Funding in the amount of \$156,051 is available in the Fiscal Year 2008-2009 Capital Budget of Austin Energy. Funding in the amount of \$14,670 is available in the 2008-2009 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Sole proposal received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 4.80% MBE and 16.40% WBE subcontractor participation. Recommended by Electric Utility Commission.
34. Authorize award and execution of Amendment No. 3 to a requirements service contract with TEXAS METER & DEVICE CO., LLC, Waco, TX, for replacing existing electrical meters to increase the current contract in an estimated amount not to exceed \$750,000, for a revised total estimated contract amount not to exceed \$4,008,000. Funding in the amount of \$750,000 is available in the Fiscal Year 2008-2009 Capital

Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Electric Utility Commission.

35. Authorize award and execution of a 24-month requirements supply contract with APPLIED BIOSYSTEMS, Foster City, CA. for the purchase of DNA consumable supplies for the Austin Police Department in an amount not to exceed \$175,000, with two 12-month extension options in an amount not to exceed \$75,000 per extension option, for a total estimated contract amount not to exceed \$325,000. Funding in the amount of \$21,875 is available in the FY 2008-2009 Operating Budget of the Austin Police Department. Funding for the remaining 21 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.
36. Authorize the award, negotiation and execution of a five year service contract with AMPCO SYSTEM PARKING, Houston, TX for the management of the parking and shuttle bus operations at Austin-Bergstrom International Airport , with the option to extend for up to two additional terms of one year each, in an amount for management and incentive fees not to exceed \$461,987 for the initial contract year, escalating annually thereafter at 3% per year, plus reimbursement of authorized annual operating and maintenance expenses. Austin-Bergstrom International Airport parking facilities are projected to generate in Fiscal Year 2009-2010 gross revenue of approximately \$26 million. Fiscal Year 2009-2010 operating expenses, which include shuttle bus operating costs, maintenance and the proposer's \$419,988 first year's management fee are projected to be \$5,475,991. The contractor could earn up to an additional \$41,999 in first year incentive fees if it meets specified performance measures. Projected parking revenues and expenses will be included in the Fiscal Year 2009-2010 Proposed Operating Budget of the Department of Aviation. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with 49 CFR Part 23 of the Federal Regulations (Airport Concession Disadvantaged Owned Business Enterprises Program (ACDBE)) by meeting the goals with 10.10% ACDBE subcontractor participation. Recommended by the Austin Airport Advisory Commission.
37. Authorize award and execution of a 36-month requirements service contract with CENTRAL PARKING SYSTEM OF TEXAS, INC., Austin, TX for parking lot management and operation services in an estimated amount not to exceed \$234,780, with three 12-month extension options in an estimated amount not to exceed \$78,260 per extension option, for a total estimated contract amount not to exceed \$469,560. Funding in the amount of \$26,087 is available in the Fiscal Year 2008-2009 Operating Budget of the IH-35 Fund. Funding for the remaining 32 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of four bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
38. Authorize award and execution of a 36-month requirements service contract with SOUTHERN TIRE MART, Austin, TX to provide tire repair and replacement services in an estimated amount not to exceed \$394,062, with three 12-month extension options in estimated amounts not to exceed \$144,703 for the first extension option, \$151,938 for the second extension option, and \$159,535 for the third extension option, for a total estimated contract amount not to exceed \$850,238. Funding in the amount of \$31,250 is available in the Fiscal Year 2008-2009 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 33 months of the original contract period and extension options is contingent upon available funding in future budgets. Best-value bid of two bids received. This contract will be

awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

39. Authorize award, negotiation, and execution of two 12-month requirements service contracts with: ASSURANT EMPLOYEE BENEFITS, Kansas City, MO, for a Dental Maintenance Organization (DMO) dental plan for City of Austin retirees in an estimated amount not to exceed \$210,000, with one 12-month extension option in an estimated amount not to exceed \$265,000, for a total estimated contract amount not to exceed \$475,000; and DELTA DENTAL INSURANCE CO., Alpharetta, GA, for an indemnity/PPO dental plan for City of Austin retirees in an estimated amount not to exceed \$1,100,000, with one 12-month extension option in an estimated amount not to exceed \$1,425,000, for a total estimated contract amount not to exceed \$2,525,000. Funding in the amounts of \$982,500 (\$157,500-Assurant; \$825,000-Delta Dental) is contingent upon approval of the Fiscal Year 2009-2010 Proposed Operating Budget of the Employees Benefits Fund. Funding for the remaining three months of the original contract periods and extension options is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
40. Authorize award and execution of a contract through the U.S. Communities Government Purchasing Alliance with GAMETIME c/o TOTAL RECREATION PRODUCTS, INC., Cypress, TX for the purchase and installation of playground equipment in an amount not to exceed \$199,638.87. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.
41. Authorize award and execution of Amendment No. 1 to increase a contract with FOX, SMOLEN & ASSOCIATES, INC., Austin, TX for reimbursable costs associated with additional meetings to review the Texas Gas Service's requested rate increase in an estimated amount not to exceed \$15,000, for a revised total estimated contract amount not to exceed \$66,385. Funding in the amount of \$15,000 is available in the Fiscal Year 2008-2009 Operating Budget of the Telecommunications & Regulator Affairs Division of the Financial and Administrative Services Department. Funding will be reimbursed by Texas Gas Service. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

Transportation

42. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of West Slaughter Lane to the table of speed limits having a maximum speed limit of 35 miles per hour during certain times for students attending Gorzycki Middle School. \$14,000 for the installation of signs is available in the Fiscal Year 2008-2009 Child Safety Fund of the Department of Public Works.
43. Approve an ordinance amending Section 12-4-64(D) of the Code by establishing a school zone on a portion of Samsung Boulevard with a maximum speed limit of 20 miles per hour at certain times for students attending Pioneer Crossing Elementary School. Funding in the amount of \$16,140 is available in the approved Fiscal Year 2009-2010 Operating Budget of the Transportation Department for the installation of necessary signs and flashers.

Watershed Protection and Development Review

44. Authorize negotiation and execution of a 12-month State Use Agreement with TIBH Industries, Inc. (formerly known as TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED) for vegetation control in creeks and detention/water quality ponds; and for the hauling of excessive vegetation and debris from specified job site locations to an acceptable landfill in an amount not to exceed \$1,834,834. Funding in the amount of \$1,834,834 is included in the Fiscal Year 2009-2010 proposed Operating Budget of the Watershed Protection & Development Review Department.
45. Authorize the negotiation and execution of the Whisper Valley and Indian Hills Development Agreement affecting 2,340 acres in the Desired Development Zone adjacent to State Highway 130.

Item(s) from Council

46. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
47. Approve an ordinance amending the City Code to amend Section 2-1-25 (Public Financial Statements), add a new Section 2-1-171 (Public Safety Commission), and amend Subsection 2-7-72(C) (Reports). (Council Member Mike Martinez and Council Member Lee Leffingwell)
48. Approve an ordinance amending Chapter 2-2 of the City Code related to campaign finance. (Council Member Laura Morrison and Mayor Will Wynn)
49. Approve a resolution directing the city manager to allocate city resources, including staff, to centralize city programs and activities related to supporting Austin music. (Council Member Mike Martinez, Council Member Laura Morrison and Council Member Randi Shade)
50. Approve a resolution directing the City Manager to procure a consultant team to develop a Strategic Mobility Plan for the City of Austin, incorporating engineering studies and a public outreach program. (Council Member Sheryl Cole and Council Member Laura Morrison)
51. Approve the waiver of certain rental fees for the Great Public Spaces Summit sponsored by The Congress for the New Urbanism to be held on June 25, 2009 at the Mexican American Cultural Center (MACC). (Council Member Randi Shade and Mayor Pro Tem Brewster McCracken)

Item(s) to Set Public Hearing(s)

52. Set a public hearing to consider an ordinance amending Chapters 25-2 and 25-10 of the City Code to authorize Home Occupation signs on Core Transit Corridors and Future Core Transit Corridors. (Suggested date and time: July 23, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) To be reviewed by the Committee on Codes and Ordinances June 16, 2009 and by the Planning Commission on July 14, 2009.

12:00 PM -- Citizen Communications: General

Yvette Rodriguez – PURE casting, shut down and build affordable housing, PODER young scholars for justice

Carmen D. Llanes – Relocate the Pure Casting facility; build affordable housing!

Samantha Rodriguez – Relocate Pure Casting facility, build affordable housing. PODER's young scholars for justice

Erika Gonzalez – Shut down and relocate Pure Casting and build affordable housing! PODER'S young scholars for justice

Jeanette Auerbach –Billboard on South Lamar

Charlie Brown – Billboard on Lamar

Scott Johnston – Distractions created by cell phone use or text messaging while driving

Richard Troxell –Homelessness in Austin

Rae Nadler-Olenick – Water fluoridation

Girard Kinney – Billboards

Executive Session

53. Discuss legal issues relating to labor negotiations for amendments to the Meet and Confer Agreements with the Police and EMS departments. (Private Consultation with Attorney - Section 551.071)
54. Discuss legal issues related to the Economic Development Agreement between the City and NBC Universal, Inc. (Private Consultation with Attorney - Section 551 071).

2:00 PM -- Briefings

55. Staff update on the Austin GO Initiative
56. Staff presentation on the Austin Climate Protection Program 2009 Annual Report
57. **Planned Unit Development Assessments -**
CD-2008-0013 - Development Assessment of Whisper Valley Planned Unit Development, located at 9000 Taylor Lane (Gilleland Watershed).

3:00 PM -- Austin Housing Finance Corporation Board of Directors Meeting

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene (The AHFC agenda is temporarily located at <http://www.ci.austin.tx.us/agenda/council.htm>).

4:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

58. C14-2008-0234 - ZFB, Ltd. Rezoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9710 and 9718 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. First reading approved on June 11, 2009. Vote: 6-0 (Cole-absent.) Applicant: Pohl Brown & Associates (William Pohl). Agent: Thrower Design (Ron Thrower). City Staff: Stephen Rye, 974-7604.

4:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 59 PH. C14-2009-0010 - Stoney Ridge Substation - Conduct a public hearing to approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7007 1/2 Heine Farm Road (Dry Creek East Watershed) from single-family residence-small lot (SF-4A) district zoning to public (P) district zoning. Staff Recommendation: To grant public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Applicant and Agent: Austin Energy (Judy Fowler). City Staff: Wendy Rhoades, 974-7719.
- 60 PH. C14-2009-0031 - The Moore Redbird Project - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 313 Red Bird Lane (Williamson Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning with conditions. Applicant and Agent: Leslie M. Moore. City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.
- 61 PH. C14-79-081(RCT) - Twin Oaks Tract - Conduct a public hearing to approve termination of a restrictive covenant for the property located at 900-1000 West Ben White Blvd. (Slaughter Creek West and Bouldin Creek Watersheds). Staff Recommendation: To terminate the restrictive covenant. Planning Commission Recommendation: To terminate the restrictive covenant. Applicant: Twin Oaks Associates LTD. Agent: Urban Design Group (Laura Touns). City Staff: Stephen Rye, 974-7604.
- 62 PH. C14-2008-0218 - Twin Oaks Tract - Conduct a public hearing to approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900-1000 West Ben White Blvd. (Slaughter Creek West Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Applicant: Twin Oaks Associates, LTD. Agent: Urban Design Group (Laura Touns). City Staff: Stephen Rye, 974-7604.
- 63 PH. C14-2009-0035 - Soco Lofts - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3801 South Congress Avenue (East Bouldin Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning.

Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Applicant: GST South Congress, L.P. Agent: Bury & Partners (Darren Huckert). City Staff: Stephen Rye, 974-7604.

- 64 PH. C814-01-0114.01 - Comanche Canyon Ranch, ETJ Planned Unit Development Amendment #1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 040129-43 and the Comanche Canyon Ranch ETJ Planned Unit Development Agreement to allow areas 3 and 4 identified in the Agreement and in the area locally known as 12309 Bullick Hollow Road and 6708 North FM 620 Road (Lake Travis Watershed), to be developed as a major utility facility (Water Treatment Plant 4) and to specify that development will adhere to the provisions of the City's Land Development Code and Ordinance No. 20080515-035. Staff Recommendation: To grant the first amendment to Comanche Canyon Ranch ETJ Planned Unit Development. Environmental Board Recommendation: To grant the first amendment to Comanche Canyon Ranch ETJ Planned Unit Development. Zoning and Platting Commission Recommendation: To grant an amendment to the Comanche Canyon Ranch ETJ Planned Unit Development. Applicant: Austin Water Utility (William P. Stauber). Agent: City of Austin, Public Works Department (Robert Hengst). City Staff: Wendy Rhoades, 974-7719.
- 65 PH. C14-2008-0233 - Ranch Road Zoning Case - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11401 Ranch Road 2222 (Lake Travis/Panther Hollow Watershed) from interim-rural residence (I-RR) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 2. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 2. Applicant: LTBS 2222 Ltd. Agent: Mclean & Howard L.L.P. (Jeffrey S. Howard). City Staff: Clark Patterson, 974-7691.
- 66 PH. C14H-2009-0004 - W.E. Miller House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4810 Rowena Avenue (Waller Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Staff recommendation: To deny family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Planning Commission recommendation: To grant family residence-historic landmark-neighborhood conservation combining district-neighborhood plan (SF-3-H-NCCD-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454. A valid petition has been filed in opposition to this rezoning request.
- 67 PH. NPA-2009-0007.01 - 9117 Northgate Blvd - Conduct a public hearing and approve an ordinance amending Ordinance No. 000629-106, the North Austin Civic Association Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from multifamily to commercial for the property located at 9117 Northgate Blvd. (Little Walnut Creek Watershed). Staff Recommendation: To approve commercial land use designation. Planning Commission Recommendation: To approve commercial land use designation. Applicant: Nuraminco, Inc, DBA Sunrise Mini-mart (Abdul Patel). Agent: Jim Wittliff, Land Answers. City Staff: Maureen Meredith, 974-2695.

- 68 PH. C14-2009-0013 - Northgate - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9117 Northgate Boulevard (Little Walnut Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Applicant: Nuraminco, Inc. DBA Sunrise Mini-mart (Abdul Patel). Agent: Land Answers (Jim Witliff). City Staff: Sherri Sirwaitis, 974-3057.
- 69 PH. C14-2009-0042 - Cherrywood Green - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1600 East 34th Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To grant public-neighborhood plan (P-NP) combining district zoning. Applicant and Agent: City of Austin, Parks and Recreation Department (Chris Yanez). City Staff: Joi Harden, 974-2122.
- 70 PH. NPA-2008-0015.02 - 3617 Axel Lane - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11, the East Martin Luther King Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from industrial to multi-family use for the property located at 3617 Axel Lane (Fort Branch Watershed). Staff Recommendation: To deny multi-family use. Planning Commission Recommendation: To approve multi-family use. Applicant and Agent: Kevin Ludlow. City Staff: Dee Dee Quinnelly, 974-2976.
- 71 PH. C14-2008-0154 - 3617 Axel Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3617 Axel Lane (Fort Branch Watershed) from industrial park-neighborhood plan (IP-NP) combining district zoning to multi-family residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To deny multi-family residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-limited density-neighborhood plan (MF-1-NP) combining district zoning. Applicant and Agent: Kevin Ludlow. City Staff: Joi Harden, 974-2122. A valid petition has been filed in opposition to this rezoning request.
- 72 PH. NPA-2008-0015.03 - Precinct 1 New Office Building - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map (FLUM) from mixed use designation to civic use designation for the property located at 1811 Springdale Road and 4705 Heflin Lane (Fort Branch Watershed). Staff Recommendation: To approve civic use designation. Planning Commission Recommendation: To approve civic use designation. Applicant and Agent: Travis County Facilities Management Department. City Staff: Paul DiGiuseppe, 974-2865.
- 73 PH. C14-2008-0174 - Precinct 1 New Office Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1811 Springdale Road and 4705 Heflin Lane (Fort Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning and limited office-neighborhood plan (LO-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. Staff Recommendation: To grant public-conditional overlay-neighborhood plan (P-CO-NP) combining district zoning. Planning Commission Recommendation: To grant public-conditional overlay-neighborhood plan (P-CO-NP) combining district zoning. Applicant and Agent: Travis County Facilities Management Department. City Staff: Joi Harden, 974-2122.

5:30 PM -- Live Music


Reagan High School Drum Line


5:30 PM -- Proclamations

6:00 PM -- Public Hearings and Possible Actions

- 74 PH. Conduct a public hearing and consider an ordinance adopting new rates and tariffs for customers of Texas Gas Service, a division of ONEOK, Inc.
- 75 PH. Conduct a public hearing and consider an ordinance amending Chapter 25-8, of the City Code relating to protected and heritage trees. Recommended by the Planning Commission, Environmental Board, Urban Forestry Board, and the now disbanded Tree Task Force.
- 76 PH. Conduct a public hearing and consider an ordinance amending Section 25-2-1007 of the City Code relating to parking lot landscaping. Recommended by the Planning Commission, Environmental Board, Urban Forestry Board, and the now disbanded Tree Task Force.
- 77 PH. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code relating to planting of trees in residential subdivisions. Recommended by the Planning Commission, Environmental Board, Urban Forestry Board, and the now disbanded Tree Task Force.
- 78 PH. Conduct a public hearing and consider an ordinance for floodplain variances requested by the Austin Independent School District. The variances will allow construction of the House Park Field House Addition at 1301 Shoal Creek Boulevard in the 25-year and 100-year floodplains of Shoal Creek. A variance will also waive the requirement for normal access from the building to an area that is one foot above the 100-year floodplain.
- 79 PH. Conduct a public hearing and consider an appeal by the Highland/Skyview Neighborhood Plan Contact Team represented by Damon Howze, of the Planning Commission's decision to approve a Conditional Use Permit to allow operation of an Adult Lounge located at 6406 N. IH 35, Unit 1100. The Planning Commission approved staff's recommendation to approve the Conditional Use Permit with conditions.
- 80 PH. Conduct a public hearing and consider approval of an ordinance amending Chapters 11-1, 25-2 and 25-11 of the City Code relating to tax exemptions for historic landmarks, historic landmark procedures, and demolition by neglect. To be reviewed by Zoning and Platting Commission on July 7, 2009; to be reviewed by Planning Commission on July 14, 2009.
- 81 PH. Conduct a public hearing to receive citizen comment on: 1) Draft five-year Consolidated Plan for Fiscal Years October 1, 2009 – September 30, 2014, as required by the U.S. Department of Housing and Urban Development; 2) the Draft Annual Fiscal Year 2009-10 Action Plan, as required by the U.S. Department of Housing and Urban Development; and 3) the Community Development 2009-10 Program, as required by the Texas Local Government Code Chapter 373.

Adjourn

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

2009 Austin City Council Meeting Dates

MEETINGS	CANCELLED DATES
January 15, 2009	January 1, 2009 January 8, 2009
January 29, 2009	January 22, 2009
February 12, 2009	February 5, 2009
February 26, 2009	February 19, 2009
March 5, 2009	
March 12, 2009	
March 26, 2009	March 19, 2009
April 2, 2009	
	April 9, 2009 April 16, 2009
April 23, 2009	
April 30, 2009	
May 14, 2009	May 7, 2009
May 21, 2009	
	May 28, 2009 June 4, 2009
June 11, 2009	
June 18, 2009	
	June 25, 2009 July 2, 2009 July 9, 2009 July 16, 2009
July 23, 2009	July 30, 2009
August 6, 2009	August 13, 2009
August 20, 2009	
August 27, 2009	September 3, 2009 September 10, 2009
September 14, 15 and 16, 2009 (Budget Readings)	
September 24, 2009	September 17, 2009
October 1, 2009	
October 15, 2009	October 8, 2009
October 22, 2009	
November 5, 2009	October 29, 2009
November 19, 2009	November 12, 2009
	November 26, 2009 December 3, 2009
December 10, 2009	
December 17, 2009	December 24, 2009 December 31, 2009